

REMARKS

Claims 37-44 are pending. Claims 37-43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ausems et al. (U.S. Patent No. 6,434,403) in view of Dethloff (U.S. Patent No. 6,047,888) and further in view of Pitroda (U.S. Patent No. 7,308,426). Claim 44 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ausems et al. (U.S. Patent No. 6,434,403) in view of Dethloff (U.S. Patent No. 6,047,888) in view of Pitroda (U.S. Patent No. 7,308,426) and further in view of Natsuno (U.S. Patent No. 6,910,624).

Rejection of Claims 37-43 under 35 U.S.C. § 103(a)

Claims 37-43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ausems et al. (U.S. Patent No. 6,434,403) in view of Dethloff (U.S. Patent No. 6,047,888) and further in view of Pitroda (U.S. Patent No. 7,308,426). This rejection is respectfully traversed.

Neither Ausems nor Dethloff nor Pitroda teach or suggest a “transaction card” having “bundled financial products” and “at least one payment brand.” On page 5 of the Office Action, the Examiner acknowledges that “Ausems does not disclose wherein the transaction card stores first data on bundled financial products ... the transaction card comprises third data of at least one payment brand.” Further, the Examiner does not assert that Dethloff teaches or suggests bundled financial products and at least one payment brand.

The Examiner asserts that Pitroda teaches or suggests a transaction card having both “bundled financial products” and “third data of at least one payment brand.” The Examiner cites to Pitroda for a teaching of “bundled financial products”:

The electronic transaction device may also be used to conduct transactions involving promotional information. As used herein, “promotional information”

includes advertisements, electronic facsimiles of coupons, and usage incentives such as frequent flier miles, cash back rebates, or any of various incentive programs offered by credit card issuers.

Col. 5, lines 50-55. However, this promotional information does not include bundled financial products. The program offered by a credit card issuer described as promotional information does not qualify as bundled financial products. First, if the program is a credit card, then that program may be the same as the credit card cited by the Examiner for a “third data of at least one payment brand.” As a result, Pitroda would not have bundled financial products and at least one payment brand. Second, the promotional information described are not financial products. The specification provides examples of financial products, including a credit line, cash advance line, stored value, debit capability, and bill payment. Page 10. Thus, Pitroda does not teach or suggest “bundled financial products” and “third data of at least one payment brand.”

Because claim 37 is believed to be allowable over the cited references, the Examiner’s rejection of the remaining dependent claims is therefore moot. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 103.

Rejection of Claim 44 under 35 U.S.C. § 103(a)

Claim 44 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ausems et al. (U.S. Patent No. 6,434,403) in view of Dethloff (U.S. Patent No. 6,047,888) in view of Pitroda (U.S. Patent No. 7,308,426) and further in view of Natsumo (U.S. Patent No. 6,910,624). This rejection is respectfully traversed.

Because claim 37 is believed to be allowable over the cited references, the Examiner’s rejection of claim 44 is therefore moot. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 103.

CONCLUSION

Should the Examiner have any comments, questions or suggestions of a nature necessary to expedite prosecution of the application, the Examiner is requested to contact the undersigned representative at the number listed below. Furthermore, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 50-4402.

Respectfully submitted,

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